

ORDINANCE NO. 2013-063

Granting encroachment to AgFirst Farm Credit Bank Data Center for removal of a tree, existing asphalt driveway and a portion of the existing sidewalk, and for installation and maintenance of a concrete driveway, sidewalk, four (4) trees, landscaping and an irrigation system within the right of way area adjacent to its building at 1115 Calhoun Street, Richland County TMS #09015-02-01

WHEREAS, AgFirst Farm Credit Bank Data Center (hereinafter "Grantee") desires to remove a tree, a portion of the existing sidewalk and the existing asphalt driveway from the right of way area of the 1100 block of Calhoun Street adjacent to its building at 1115 Calhoun Street, Richland County TMS 09015-02-01 and to install and maintain a twenty-four (24') foot wide concrete driveway; a six (6') foot wide sidewalk landscaping; sod; four (4) trees, and an irrigation system, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 18th day of June, 2013, that Grantee is hereby granted the right to remove a tree, a portion of the existing sidewalk and the existing asphalt driveway from the right of way area of the 1100 block of Calhoun Street adjacent to its building at 1115 Calhoun Street, Richland County TMS 09015-02-01 and to install and maintain a twenty-four (24') foot wide concrete driveway; a six (6') foot wide sidewalk landscaping; sod; four (4) trees, and an irrigation system, as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.
3. Landscaping to be maintained by property owner.
4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
5. All trees shall be protected and no large tree roots shall be removed from any existing trees.

6. Tree species must be reviewed and approved by Forestry and Beautification.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

ORIGINAL
STAMPED IN RED

Requested by:

AgFirst Farm Credit Bank


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:

City Clerk

Introduced: 6/4/2013

Final Reading: 6/18/2013

**CITY COUNCIL
ENCROACHMENT SUMMARY
2013-063**



**1000 BLOCK OF CALHOUN STREET
ADJACENT TO 1115 CALHOUN STREET
DRIVEWAY, SIDEWALK, TREES, LANDSCAPING AND IRRIGATION**

Subject Property:	Right-of-way adjacent to 1115 Calhoun Street, TMS#09015-02-01
Council District:	2
Proposal:	The applicant is requesting an encroachment for installation and maintenance of a driveway, sidewalk, trees, landscaping and irrigation
Applicant:	AgFirst Farm Credit Bank
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for installation and maintenance of a twenty-four (24') foot wide concrete driveway; a six (6') foot wide sidewalk landscaping; sod; four (4) trees, and an irrigation system, as shown on the attached drawings.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> 1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or existing the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard. 2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained. 3. Landscaping to be maintained by property owner. 4. Irrigation must be designed to avoid spraying walkways, sidewalk and streets and/or creating hazardous conditions upon walkways, sidewalks and streets. 5. All trees shall be protected and no large tree roots shall be removed from any existing trees. 6. Tree species must be reviewed and approved by Forestry and Beautification.
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CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.



REQUEST FOR AN ENCROACHMENT ORDINANCE

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) **Business signs are NOT permitted via an encroachment.** An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.

Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: _____ Property Owner: AGFIRST FARM CREDIT BANK
 Applicant's Name if different from Property Owner: SAME
 Contact Information: Telephone Number: 803-753-2298 Fax Number: 803-266-8512
 Mailing address: 1115 CALHOUN STREET E-mail address: CRoads@AGFIRST.COM
 Encroachment Location (Address): SITE IS NEAR INTERSECTION OF ASSEMBLY ST & CALHOUN ST
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)
 Tax Map Number for Encroachment Location: 209015-02-01

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: _____
 Dimensions (height/width/length): Improvement of 24' WIDE DRIVEWAY, INSTALLATION OF 6' WIDE SIDEWALK (TO MATCH EXISTING) AND INSTALLATION OF LANDSCAPED AREA W/ FOUR TREES
 (i.e., 6'x42' wooden privacy fence; two 12'x4' concrete step; two 12'x12' x24' brick columns; 4x15' brick paver walkway)
 Construction material: CONCRETE, TREES + SOD
 Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.

_____ Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material) _____
 Other: _____ (or complete applicable "Encroachment type" section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

Contact	Department	Telephone Number	Fax Number
Joey Jaco	Utilities & Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647

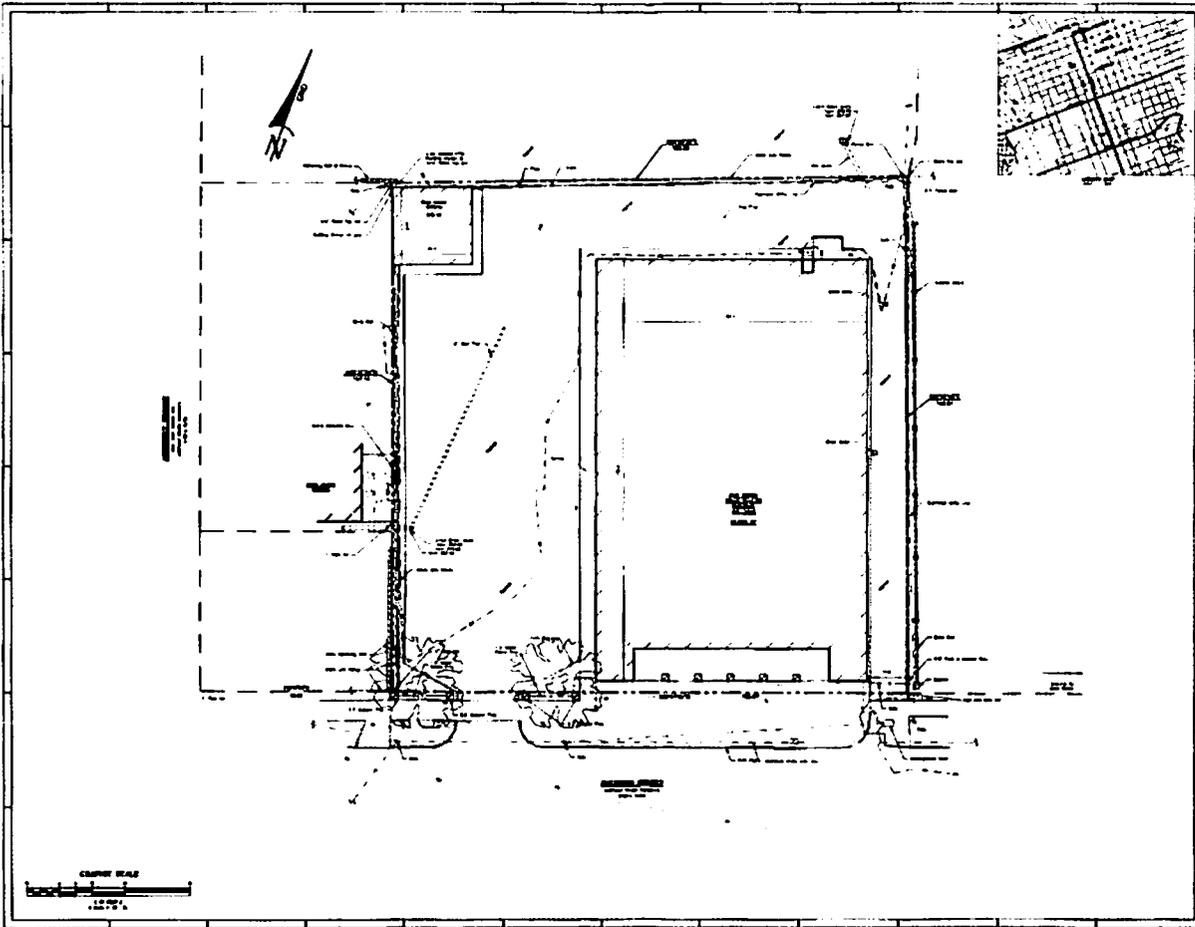


Civil Site Narrative – Agfirst Data Center

Encroachment Summary:

1115 Calhoun Street is an existing building with an adjacent parking area. The ROW along Calhoun Street consists of an asphalt drive, and concrete sidewalk.

The proposed site plan calls for the removal of the existing asphalt drive and a portion of the concrete sidewalk. The improvements consist of installing a new 24' wide concrete drive to replace the existing asphalt drive, installing several sections of new sidewalk to match existing and installing a landscaped area along Calhoun Street which consist of 4 new trees and sod.



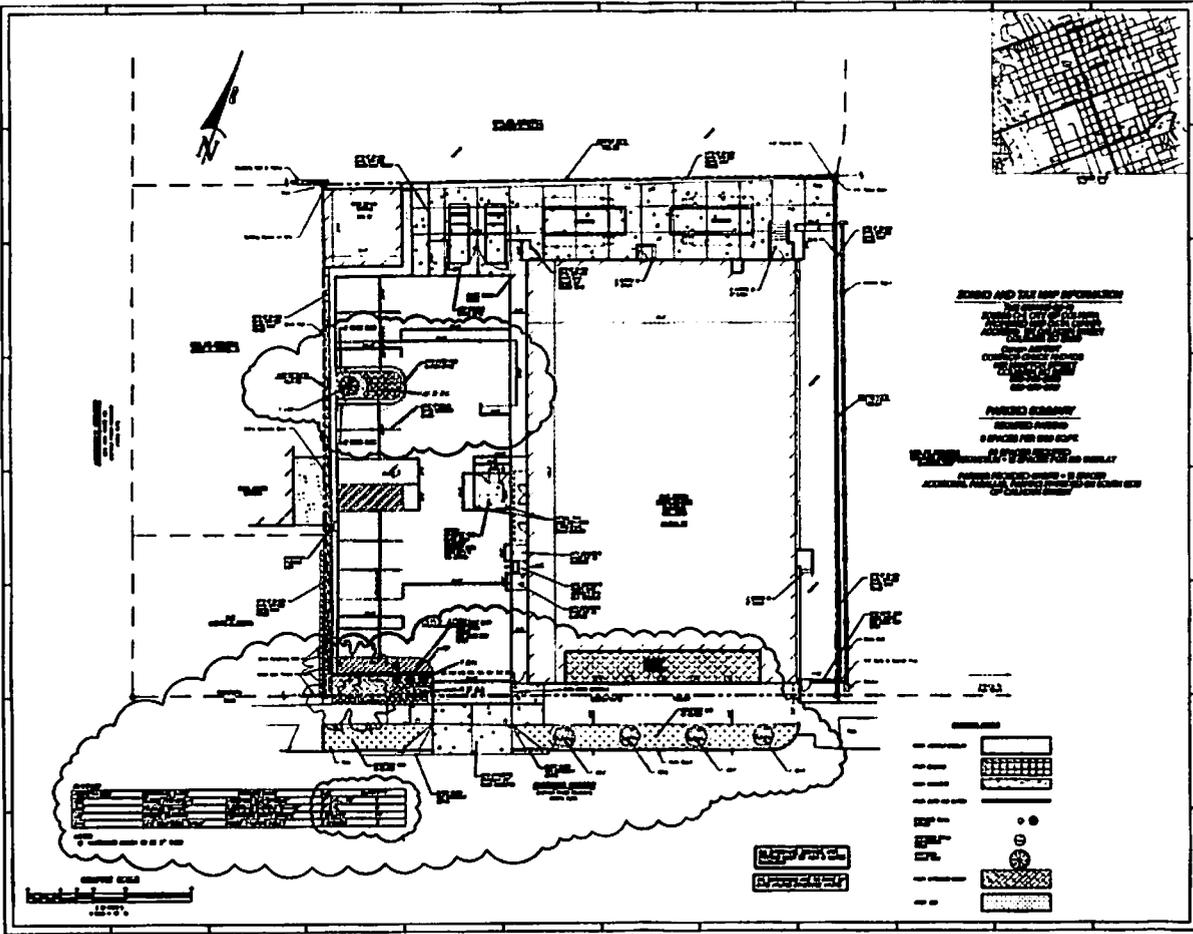
LA BRUNDSCHAUER
 ARCHITECTS
 1000 17th St, Suite 1000
 San Francisco, CA 94103
 Phone: 415.774.1100
 Fax: 415.774.1101
 www.la-brundschauers.com



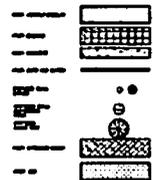
AUGUST DATA CENTER
 1000 17th St, Suite 1000
 San Francisco, CA 94103



DATE: 08/10/09
 SHEET: C1.0



GENERAL NOTES:
 1. REFER TO THE ARCHITECTURE FOR THE LOCATION OF THE DATA CENTER.
 2. REFER TO THE ARCHITECTURE FOR THE LOCATION OF THE DATA CENTER.
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CANNON DESIGN GROUP
 ARCHITECTS

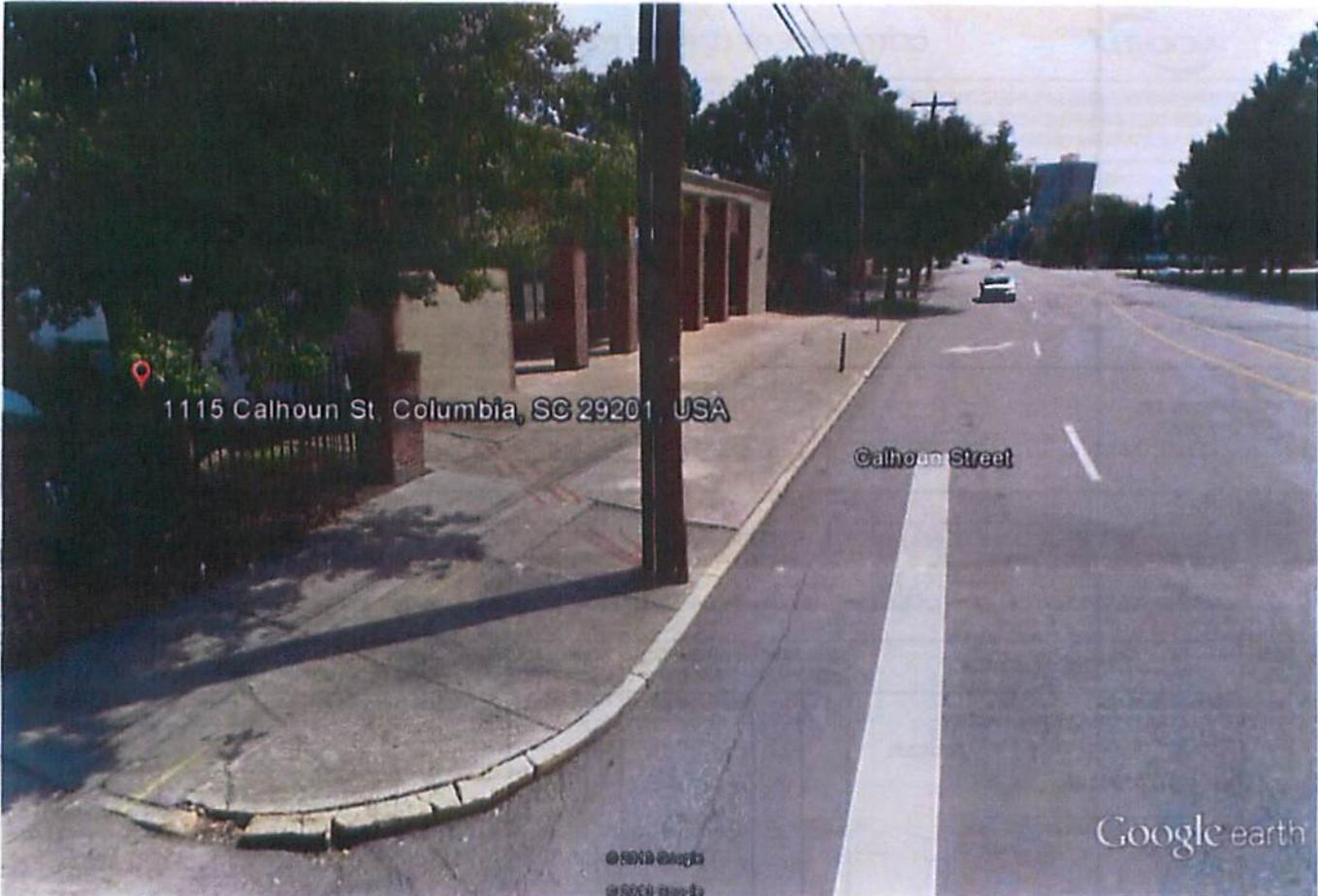
ARCHITECT DATA CENTER LEVEL 1

DATE: 10/10/00

SCALE: 1/8" = 1'-0"

PROJECT NO. 00-0000

3.02



1115 Calhoun St, Columbia, SC 29201, USA

Calhoun Street

Google earth

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Google earth

feet
meters





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/18/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AWARD, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **DELEGATION IS WANTED**, subject to the terms and conditions of the policy certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Solutions 1800 18th Street, Suite 1000 Denver, CO 80202 USA	CONTACT NAME:	
	PHONE (AC, No, Ext): 303-758-7888	FAX (AC, No): 303-758-9488
INSURED FCC Services, Inc. P.O. Box 5130 Denver, CO 80217-5130	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Greenwich Insurance Company	NAIC# 22322
	INSURER B:	
	INSURER C:	
	INSURER D:	

DESCRIPTIONS

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Limits shown are as requested

BER LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$1,000,000 SIR GEN'L AGGREGATE LIMIT APPLIES FOR: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC		RGEM4372805	01/01/2013	01/01/2014	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED. EXP (Per one person) \$5,000 PERSONAL & ADV. INJURY \$1,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/CPAGG \$2,000,000
	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> UMBRELLA LMB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LMB <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> CED RETENTION					EACH OCCURRENCE AGGREGATE
	<input type="checkbox"/> EMPLOYERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <small>(Mandatory in NY)</small> If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT E.L. DISEASE-PER EMPLOYEE E.L. DISEASE-POLICY LIMIT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 In the event coverage is cancelled for any statutory permitted reason, other than nonpayment of premium, written notice will be mailed or delivered at least thirty (30) days prior to the effective date of such cancellation to the person(s) or entity(ies) listed in the notification schedule attached.
 Additional Named Insured: AgFirst
 The City of Columbia is named Additional Insured ATMA with respects to AgFirst's liability for improvements being made in the right of way at 1115 Calhoun Street, Columbia, SC 29201

ENDORSEMENTS/HOLDINGS

City of Columbia, Legal Department Attn: Risk Manager Post Office Box 147 Columbia, SC 29217	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Aon Risk Insurance Services West, Inc.
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